President Pro Tem. Dibrell in the chair.

Roll called.

No quorum, the following Senators answering to their names:

Atlee. Rogers. Darwin. Ross. Dibrell. Terrell. Goss. Tillett. Kerr. Turney. Linn of Wharton. Woods. Morriss. Yantis.

#### Absent.

Bailey. Lewis. Beall. Neal. Presler. Boren. Stafford. Bowser. Burns. Stone. Wayland. Colquitt. Gough. Yett.

Excused.

Linn of Victoria. Greer. Harrison.

On motion of Senator Linn of Wharton, the Senate adjourned until 10 a.m. to-morrow.

#### FIFTY-NINTH DAY.

Senate Chamber, Austin, Tex., Tuesday, Mar. 30.

Senate met pursuant to adjournment.

President pro tem. Dibrell in the

Roll called. No quorum, the following Senators answering to their names:

Atlee. Ross Burns. Stafford. Darwin. Stone. Dibrell. Terrell. Goss. Tillett. Greer. Turney. Wayland. Kerr. Linn of Wharton. Woods. Morriss. Yantis. Rogers.

Absent.

Bailey. Lewis. Neal. Beall. Presler. Boren. Yett. Colquitt. Gough.

Excused.

Bowser. Harrison. Linn of Victoria.

Prayer by the Chaplain, Rev. F. S.

of Thy presence this morning. May trains.

this Senate chamber be a veritable sanctuary. Enlighten the minds. dominate the wills, permeate the hearts, and direct the judgments of this body, and may their labors be crowned with a sweet consciousness of a duty well performed, and the kindly appreciation of an admiring and approving constituency. This petiton we ask in the name of Christ. Amen.

It appearing that no quorum could be obtained.

On motion of Senator Turney, the Senate adjourned to 3 p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjourn-

President Pro Tem. Dibrell in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Linn of Wharton. Atlee. Bailey. Morriss. Beall. Rogers. Burns. Ross. Colquitt. Stone. Darwin. Terrell. Dibrell. Tinett. Goss. Turney. Greer. Wayland. Kerr. Woods. Lewis. Yantis. Linn of Victoria.

Absent.

Presler. Boren. Gough. Stafford. Neal. Yett.

Excused.

Bowser. Harrison.

On motion of Senator Morriss, Senator Yett was excused for this week, on account of important business.

On motion of Senator Greer,

Senator Wayland was excused for yesterday, on account of important business.

On motion of Senator Woods,

Senator Colquitt was excused for yesterday and this morning, on account of delayed trains.

On motion of Senator Wayland,

Senator Beall was excused for yesterday and this morning, on account of delayed trains.

On motion of Senator Beall, the Cal-Almighty God—We pray Thee to endar Clerk, Mr. Ray, was excused give us an overwhelming realization for to-day on account of delayed

# COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 30, 1897. Hon, George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to

whom was referred

Senate bill No. 226, a bill to be entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies and to legalize dissections by authorized persons."

Have had the same under consideration, and I am intructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room, Austin, Texas, March 30, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Judicial Districts, to whom was referred

House bill No. 633, a bill to be entitled "An act to amend section 42 of article 22 of the Revised Civil Statutes of the State of Texas, adopted and approved May 5, 1895, providing for the reorganization of the Fortysecond Judicial District, and to fix the time of holding court therein,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DIBRELL, Chairman.

Committee Room,

Austin, Texas, March 30, 1897. Hon. Geo. T. Jester, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 278, a bill to be entitled "An act to establish an additional State normal school.'

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BEALL, Acting Chairman.

Committee Room.

Austin, Texas, March 30, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Federal Relations, to whom was referred

Senate concurrent resolution No. 17, authorizing and empowering the Daughters of the Republic of Texas to | necessity for the labor of the clerks

place a statue of one of the fathers of Texas in the Hall of Statuary in the national capitol at Washington, D. C.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GREER, Chairman.

Committee Room.

Austin, Texas, March 30, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Military Affairs, to whom was referred

Senate bill No. 303, a bill to be entitled "An act to amend articles 3431, 3433 and 3447, title 70, chapter 3, of the Revised Civil Statutes of the State of Texas, relating to militia, and to add thereto article 3433b, relating to formation of battalions of the Texas Volunteer Guard, and article 3437b, requiring officers to be examined on the duties of a staff officer before being commissioned into the staff corps of the Texas Volunteer Guard, and articles 3448b and 3448c, making it an offense and prescribing a penalty therefor, for any member of the Texas Volunteer Guard to refuse or fail to report for duty when ordered out by proper authority to suppress riots, tumults, unlawful assemblies or to repel invasions; and to repeal all laws or parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

TERRELL, Chairman.

Committee Room,

Austin, Texas, March 29, 1897.

Hon. George T. Jester, President of the Senate.

I am instructed by the Committee on Contingent Expenses, to whom was referred the attached resolutions, to make the following report:

By Senator Terrell:

Whereas, a great deal of the committee work of this Senate has been disposed of, and there is now no necessity for all of the general and special committee clerks; be it

Resolved, that all of the ten general and special committee clerks of this Senate be excused from further duty upon this Senate, and that the Senate elect five committee clerks to perform all the work required of them by the various committees.

By Senator Yantis:

Whereas, there has ceased to be any

of Judiciary Committee No. 2, and the Committee on Public Lands, and the Committee on Judicial Districts, and the Committee on Education; therefore be it

Resolved, that this Senate discharge the clerks of said committees, and that the clerk of Judiciary Committee No. 1 shall act as clerk for Judiciary Committees Nos. 1 and 2.

Owing to the short time allowed the committee when the said resolutions were referred to it, it was unable to make the investigations necessary to an intelligent report, and I was instructed to so report on last Friday morning, and ask further time for consideration; and I prepared such report and request, but was suddenly called home by wire on important business before I had an opportunity to present the same; wherefore I now report as above, and respectfully ask that the committee be granted further time for investigation of the matters, and given an opportunity to call the chairmen of the different committees before it for full information.

KERR,

Chairman for the Committee.

On motion of Senator Turney, the time of the committee was extended, and they were instructed to report to the Senate on Thursday, April 1.

Committee Room,

Austin, Texas, March 30, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 316, a bill to be entitled "An act to amend article 4640a of the Revised Civil Statutes of Texas (added thereto by an act amending title XCVI, chapter 3, passed at the present session of the Legislature, approved March 3, 1897), so as to permit the record of instruments in any other than the English language, when accompanied by a correct translation thereof into the English language."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 29, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 95, a bill to be entitled "An act to amend article 976 of chapter 8, title 27, of the Revised Civpared

il Statutes of the State of Texas, relating to payment of costs and returning mandates in the Supreme Court," And find the same correctly en-

grossed.

BOREN, Acting Chairman.

Committee Room.

Austin, Texas, March 29, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 117, a bill to be entitled "An act to amend articles 1494, 1495 and 1496 of the Revised Civil Statutes of the State of Texas, relating to auditors,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 29, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 322, a bill to be entitled "An act to create a more efficient road system for Ellis county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 30, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 254, a bill to be entitled "An act to amend article 615 of chapter 18, title 11, of the Revised Civil Statutes of the State of Texas, providing for the abolishment of the incorporation of towns and villages,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room, Austin, Texas, March 29, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 300, entitled "An act to diminish the civil and criminal jurisdiction of the county court of King and Stonewall counties; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 29, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 121, entitled "An act to amend article 5051 of the Revised Civil Statutes of 1895, relating to county warrants, and prohibiting the payment of county warrants and jury scrip upon taxes except in the order of their registration,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 29, 1897. Hon. George T. Jester, President of

Hon. George T. Jester. President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 186, entitled "An act to amend article 3910 of the Revised Statutes of 1895,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 29, 1897. Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 139, a bill to be entitled "An act to amend title 30, chapter 4, article 1194, of the Revised Civil Statutes of the State of Texas of 1895, relating to venue of suits in cases of personal injury against a railroad corporation, or against any assignee, trustee or receiver operating said railway, by adding thereto section 23a after section 23."

And find the same correctly engrossed.

BOREN, Acting Chairman.

#### MAJORITY REPORT.

Committee Room, Austin, Texas, March 11, 1897.

Hon. L. T. Dashiell, Speaker of the House of Representatives, and Hon. George T. Jester, President of the Senate.

We, your conference committee on House bill No. 13, a bill to be entitled "An act to validate certain illegal sales of public school, University and asylum lands, sold under section 22, chapter 99, of the acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached,"

Have had the Senate amendments to House bill No. 13 under consideration, and recommend

First. That the House do not concur in Senate amendments 1 and 2.

Second. That the Senate recede from Senate amendments 1 and 2.

Respectfully submitted.

ROGERS,
GOSS,
LEWIS,
On part of the Senate.
ROBBINS,
McGAUGHEY,
BAILEY,
MARTIN,
On part of the House.

### MINORITY REPORT.

Committee Room. Austin, Texas, March 11, 1897.

Hon. L. T. Dashiell, Speaker of the House, and Hon. George T. Jester, President of the Senate:

We, a minority of your conference committee on

House bill No. 13, a bill to be entitled "An act to validate certain illegal sales of public school, university and asylum lands sold under section 22, chapter 99, of the Acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached,"

Have had the Senate amendments

to said House bill No. 13 under consideration, and recommend that the Senate do not recede from Senate amendments 1 and 2, but that the House concur in said amendments.

Respectfully submitted.

BEALL DIBRELL. On part of the Senate. BURNS. On part of the House.

### BILLS AND RESOLUTIONS.

By Senator Turney:

Senate bill No. 331, a bill to be entitled "An act to amend article 4550, chapter 11, of the Revised Statutes of Texas, relating to railroads."

Read first time and referred to Judiciary Committee No. 1.

By Senator Stafford (by request):

Senate bill No. 332, a bill to be entitled "An act to amend chapter 4, title 6, of the Penal Code of the State of Texas, by adding thereto article 186a."

Read first time and referred to Judiciary Committee No. 2.

By Senator Yantis:

Concurrent resolution requesting the Governor of Texas to return to the Senate House joint resolution No. 7. entitled "A joint resolution ratifying and confirming the action of the attorneys representing the State of Texas in compromising its claim to its University lands in McLennan county, Texas," in order that the same may be presented to the President of the Senate for his signature.

Read first time and referred to Committee on Public Lands.

By Senator Linn of Wharton:

Senate concurrent resolution No. 17, authorizing and empowering Daughters of the Republic to place a statue of one of the fathers of Texas in the Hall of Statuary in the National Capitol at Washington, D. C.

Read first time and referred to Committee on State Affairs.

Call concluded.

# HOUSE MESSAGE.

The following House message was received:

> Hall House of Representatives. Austin, Texas, March 29, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 288, entitled "An act to authorize the Gulf. Colorado and Santa Fe Railway Com- and to provide for the appointment

pany to purchase the Texas, Louisiana and Eastern Railroad and to operate the same under the charter of the Gulf, Colorado and Santa Fe Railway Company as a part of its own line, with the right to extend the same, and to construct branches therefrom. by amendment of its charter under the general laws of the State of Texas,"

Passed by a two-thirds vote: ayes

94, nays 1.

Senate bill No. 291, entitled "An act to amend subdivision 15, of article 22, of the Revised Civil Statutes of the State of Texas, relative to the time of holding the terms of the district court in the Fifteenth Judicial District of Texas, passed by the Twenty-fourth Legislature in the year 1895, and to repeal all laws in conflict with this act,'

House bill No. 616, entitled 'An act to create a more efficient road system for the county of Calhoun, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as said road commissioners, and defining the powers and duties of said commissioners, and providing for the appointment of road overseers, defining their duties, and for the working of county convicts upon the roads of said county, and providing for officers' and witness' fees, and providing for the working of delinquent poll tax payers upon said roads."

House bill No. 580, entitled "An act to prescribe the time of holding the terms of the district court in the Twenty-fourth Judicial District."

Passed by a two-thirds vote: ayes 86, nays none.

House bill No. 571, a bill to be entitled "An act prescribing the time of holding the terms in the district court in the Twenty-eighth, Thirty-sixth and Forty-ninth Judicial Districts of the State of Texas, and to repeal all laws and parts of laws in conflict herewith."

House bill No. 105, a bill to be entitled "An act to require the owner, owners or lessees of coal mines within this State to provide for the safety and health of their employes, and requiring them to construct sufficient means of ingress and egress, and providing a penalty for a failure to do 80."

House bill No. 575, a bill to be entitled "An act to establish a more efficient road system for Marion county,

of a county superintendent of public

House bill No. 612, a bill to be entitled "An act to validate and confirm an ordinance passed by the city council of the city of Laredo, ceding to the United States of America certain streets intersecting land to be purchased by the United States of Amerca for the purpose of provding a new site for the military post or reservation called Fort McIntosh, for the erection of fortifications, and for such other uses as the government of the United States may desire."

Passed by a two-thirds vote: ayes

87, nays none.

House bill No. 549, a bill to be entitled "An act to restore to the county court of Atascosa county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of the State of Texas, to define the jurisdiction of said court, to conform the jurisdiction of the district court of said county to such change, to fix the time of holding court, and to repeal all laws and parts of laws in conflict with the provisions of this act.

House bill No. 567, a bill to be entitled "An act to amend sections 9, 11, 18, 19, 21, 32, and 44, of an act to incorporate the City of Denison, and to fix the boundaries thereof, etc., passed March, 1891, to provide for the election of aldermen and other officers of said city, by the people, and for fixing their compensation, etc.'

House bill No. 613, a bill to be entitled "An act to set apart for free school purposes four leagues of land heretofore granted to the territory known as Greer county, and to authorize the Attorney General to institute proceedings for the recovery of said land,'

Passed by a two-thirds vote: ayes 97, noes none.

House bill No. 476, a bill to be entitled "An act to restore and confer upon the county court of San Saba county the civil and criminal jurisdiction formerly belonging to said county under the Constitution and general statutes of the State, and to conform the jurisdiction of the district court of said county to said change."

House bill No. 614, a bill to be entitled "An act to regulate the terms and fix the times of holding the terms of the district court in the Eighth judicial district of Texas, and to repeal all laws and parts of laws in conflict with

this act."

House bill No. 157, a bill to be entitled "An act to amend article 2977 of |

chapter 4, title 55, of the Revised Statutes of the State of Texas relating to divorce, so as to permit the wife to obtain a divorce where the husband shall have left her for one year with intention of abandonment, or for nonsupport, and to permit either party to obtain a divorce on account of the continued drunkenness of the other, and to repeal all laws and parts of laws in conflict herewith,"

With engrossed rider.

House bill No. 459, a bill to be entitled "An act to require bond investment companies doing business in the State of Texas to deposit certain sums of money or securities with the Treasurer of the State of Texas, and providing penalties for failing to comply with the terms of this law.

With engrossed rider.

House bill No. 633, a bill to be entitled "An act to amend section 42 of article 22, of the Revised Civil Statutes of Texas, providing for the organzation of the Forty-second Judicial District, and to fix the time of holding court therein."

Passed by a two-thirds vote: ayes 86, noes none.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

### IN SENATE.

The above reported House bills were read first time, and referred as follows:

House bill No. 616, to Committee on Roads, Bridges and Ferries.

House bill No. 580, to Judiciary Committee No. 2.

House bill No. 571, to Committee on Judicial Districts.

House blll No. 105, to Judiciary Committee No. 2.

House bill No. 575, to Committee on Roads, Bridges and Ferries.

House bill No. 612, to Committee on Towns and City Corporations.

House bill No. 549, to Judiciary Committee No. 1.

House bill No. 567, to Committee on Towns and City Corporations.

House bill No. 613, to Committee on

Public Lands. House bill No. 476, to Judiciary Com-

mittee No. 1. House bill No. 614, to Committee on

Judicial Districts. House bill No. 157, to Judiciary Com-

mittee No. 1. House bill No. 459, to Judiciary Committee No. 1.

House bill No. 33, to Committee on Judicial Districts.

On motion of Senator Atlee, the reg-

ular order of business was suspended to take up

Senate bill No. 316, a bill to be entitled "An act to amend article 4640a of the Revised Civil Statutes of the State of Texas (added thereto by an act amending title XCVI, chapter passed at the present session of the Legislature, approved March 3, 1897), so as to permit the record of instruments in any other than the English language, when accompanied by correct translation thereof into the English language."

Bill read second time, and ordered

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading by the following vote:

# Yeas-23.

Linn of Wharton. Atlee. Bailey. Morriss. Beall. Rogers. Burns. Ross. Colquitt. Stone. Darwin. Terrell. Dibrell. Tillett. Turney. Goss. Greer. Wayland. Kerr. Woods. Lewis. Yantis. Linn of Victoria.

Nays-none.

Absent. Boren. Presler. Gough. Stafford. Neal. Yett.

Excused.

Bowser. Harrison.

Bill read third time, and passed by the following vote:

## Yeas-22.

Linn of Wharton. Atlee. Bailey. Morriss. Beall. Rogers. Burns. Ross. Colquitt. Stone. Darwin. Terrell. Dibrell. Tillett. Goss. Turney. Greer. Wayland. Kerr. Woods. Yantis. Lewis.

Linn of Victoria.

Nays-none.

Absent. Boren. Presler. Gough. Stafford. Neal. Yett.

Excused. Bowser. Harrison.

On motion of Senator Tillett, the regular order of business was suspended, to take up

House bill No. 633, a bill to be entitled "An act to amend section 42 of article 22 of the Revised Civil Statutes of the State of Texas, adopted and approved May 5, 1895, providing for the reorganization of the Fortysecond Judicial District, and to fix the time of holding court therein."
On motion of Senator Tillett, the

constitutional rule requiring bills to be read on three several days was suspended, and the bill was put on its second reading by the following vote:

#### Yeas-23.

Linn of Wharton. Atlee. Morriss. Bailey. Rogers. Beall. Ross. Burns. Colquitt. Stone. Darwin. Terrell. Dibrell. Tillett. Goss. Turney. Wayland. Greer. Woods. Kerr. Yantis. Lewis

Linn of Victoria.

Nays-none.

Absent.

Boren. Presler. Stafford. Gough. Neal.

Excused. Yott.

Bowser. Harrison.

Bill read second time, and passed to third reading.

On motion of Senator Tillett, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

### Yeas-23.

Linn of Wharton. Atlee. Bailey. Morriss. Rogers. Beall. Ross. Burns. Stone. Colquitt. Terrell. Darwin. Tillett. Dibrell. Goss. Turney. Wayland. Greer. Woods. Kerr. Yantis. Lewis.

Linn of Victoria.

Nays-none.

Absent. Presler. Boren. Stafford. Gough. Neal.

Excused.

Bowser. Harrison. Yett.

Bill read third time, and passed by the following vote:

### Yeas-23.

Linn of Wharton. Atlee. Morriss. Bailey. Rogers. Beall. Ross. Burns. Stone. Colquitt. Darwin. Terrell. Tillett. Dibrell. Goss. Turney. Greer. Wayland. Woods. Kerr. Yantis. Lewis. Linn of Victoria.

Nays-none.

Absent.

Boren. Gough. Neal. Presler. Stafford.

Excused.

Bowser. Harrison. Yett.

Senator Tillett moved to reconsider the vote by which the bill passed, and to lay that motion on the table. Tabled.

# SPECIAL ORDER.

The Chair laid before the Senate Senate bill No. 215, a bill to be entitled "An act to regulate the trial of civil actions for damages for libel, and the damages that may be allowed in such cases."

Action being on engrossment.

Bill ordered engrossed.

On motion of Senator Colquitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

### Yeas--21.

Atlee. Linn of Wharton. Bailey. Morriss. Beall. Rogers. Boren. Ross. Burns. Stone. Colquitt. Tillett. Dibrell. Turney. Greer. Wayland. Kerr. Woods. Lewis. Yantis.

Linn of Victoria.

Nays—2.

Darwin. Goss.

Absent.

Gough. Stafford. Neal. Terrell.

Presler.

Excused.

Bowser. Harrison. Yett.

Bill read third time, and passed. Senator Woods moved that

Senate bill No. 320, a bill to be entitled "An act to ratify and validate county boundary surveys heretofore made by authority of the several commissioners' courts instead of by authority of the county courts,"

Be re-committed to the Committee on Counties and County Boundaries.

On motion of Senator Turney, the regular order of business was suspended to take up, on second reading,

Senate bill No. 158, a bill to be entitled "An act to amend article 3328 of chapter 4, title 66, of the Revised Statutes of the State of Texas, and article 4651, chapter 3, title 96, of the Revised Statutes of the State of Texas, by providing for the place of record of certain written contracts, for the conditional sale, lease or hire of railroad equipment and rollingstock."

Bill read second time. By Senator Turney:

Amend by striking out "25 cents" and "50 cents" wherever they occur, and insert in lieu thereof "\$1."

Adopted.

By Senator Turney:

Amend by striking out "\$1" and "\$3" wherever they occur, and insert in lieu thereof "\$5."

Adopted.

Bill as amended ordered engrossed.

On motion of Senator Goss, the regular order of business was suspended, to take up

Senate bill No. 102, a bill to be entitled "An act to repeal articles 513b, 513c, 513d and 520, chapter 5, title 13, of the Penal Code of the State of Texas, and to amend articles 510, 511, 512, 513, 514, 515, 516, 517 and 518 of said chapter and title, and to further amend said chapter by adding thereto articles 517a, 518a, 518b, 518c, 518d, 518e, 518f and 518g, relating to the protection of fish, birds and game; and to repeal all laws and parts of laws in conflict herewith,"

Bill read second time.

(Senator Darwin in the chair.)

Senator Rogers offered a substitute bill for Senate bill No. 102, and moved to postpone further consideration, and make the bill special order for Friday, April 2.

Senator Goss made the point of order

that each bill introduced into the Senate must be referred to a committee, and that the substitute bill was out of order.

Sustained.

Senator Rogers moved to recommit Senate bill No. 102 (see above) to Judiciary Committee No. 2.

Lost by the following vote:

Yeas-5.

Beall. Boren. Rogers. Ross.

Neal.

Morriss.

Nays-20.

Bailey. Burns.

Linn of Wharton.

Colquitt. Darwin. Dibrell.

Stafford. Stone. Terrell.

Goss. Greer. Kerr.

Turney. Wayland.

Lewis. Linn of Victoria. Woods. Yantis.

Tillett.

Absent.

Atlee.

Presler.

Gough.

Excused.

Bowser.

Yett.

Harrison.

By Senator Greer:

Amend by striking out article 518d. Lost by the following vote:

Yeas-7.

Beall. Boren. Dibrell. Greer.

Burns.

Linn of Victoria.

Darwin.

Nays-18.

Bailey. Colquitt. Goss. Kerr.

Ross. Stafford. Stone. Terrell. Tillett.

Lewis. Linn of Wharton. Morriss.

Turney. Wayland. Woods.

Neal. Rogers.

Yantis.

Absent. Presler.

Atlee. Gough.

Excused.

Bowser.

Yett.

Harrison.

By Senator Lewis:

Amend article 518c, page 4, line 24, by adding after the word "any," line 24, the words "ducks, geese, brant, quail, wild turkeys, prairie chickens." Adopted.

By Senator Lewis:

Amend article 518e, page 5, line 10, by adding after the word "any" the words "ducks, geese, brant, quail, wild turkeys, prairie chickens."

Adopted.

(President Pro Tem. Dibrell in the

By Senator Linn of Wharton:

Amend article 514, line 7, page 3, by striking out all after the word "the," in lines 7 and 8, and inserting in lieu thereof the following: "first day of December and the first day of July following said date."

Adopted.

By Senator Morriss:

Amend by striking out article 518a.

By Senator Linn of Wharton:

Amend by adding to article 518a the following: "or to shoot any wild fowl with any gun, shot from a tripod, or by any other device than the ordinary manner of firing from the shoulder."

Adopted.

By Senator Goss:

Amend article 517 by inserting beword "April" the word fore the "March."

Adopted.

By Senator Stafford:

Amend by adding to article 518f the following: "and possession at any season of the year, during which the game, birds, or wild fowls of this State are protected by the laws hereof, of any game, bird, or wild fowl, shall be prima facie evidence of the guilt of the person in possession thereof."

Adopted.

By Senator Turney:

Amend by adding after "prairie chickens," on page 3, article 516, line 18, the words "English and Mongolian pheasants."

Adopted.

By Senator Yantis:

Amend article 518f by striking out the words "firm or incorporated company," in line 13.

Pending acton,

On motion of Senator Goss, further action was postponed, and the bill made special order for Friday, April 2, after call.

At the request of Senator Beall,

Senate bill No. 278, a bill to be entitled "An act to establish an additional State normal school,"

Was recommitted to the Committee on Education.

On motion of Senator Rogers, the regular order of business was suspended to take up, on its second read-

Senate bill No. 293, a bill to be entitled "An act to authorize corporations to engage in the business of becoming surety on bonds, undertakings, recognizances and other obligations, required or permitted by law or the charter, ordinances, rules or regulations of any municipality, board, body, organization, court, judge or other public officer, to be made, given, tendered or filed, with surety or sureties, and guaranteeing the refraining from or performance by another of any act, duty or obligation, and to regulate such business, and to repeal chapter XVI, title 21, of the Revised Statutes

of the State of Texas."

Bill read second time.

Pending further action,

On motion of Senator Colquitt, the Senate adjourned to 9:30 a.m. to-morrow, by the following vote:

#### Yeas-13.

Beall. Stafford.
Boren. Stone.
Colquitt. Terrell.
Darwin. Tillett.
Dibrell. Woods.
Linn of Victoria. Yantis.
Ross.

Nays—11.

Bailey. Linn of Wharton.
Burns. Morriss.
Goss. Rogers.
Greer. Turney.
Kerr. Wayland.

Lewis.

Absent.

Atlee. Neal.

Gough. Presler.

Excused.

Bowser. Harrison. Yett.

# SIXTIETH DAY.

Senate Chamber,

Austin, Tex., Wednesday, March 31.
Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee. Colquitt.
Bailey. Darwin.
Beall. Dibrell.
Bowser. Goss.
Burns. Greer.

Harrison.

Kerr.
Lewis.
Linn of Victoria.
Linn of Wharton.
Morriss.
Neal.

Ross.
Stafford.
Terrell.
Terrell.
Wayland.
Yantis.

Rogers.

Boren. Stone. Gough. Woods. Presler. Yett.

Prayer by the Chaplain, Rev. F. S. Jackson.

Almighty God: This quiet moment we look up to Thee, for thou alone canst know the motives, anxious yearnings and silent aspirations of the soul. We are emboldened to come to Thee, for we know the answer is ready before we ask. Forgive our sins, restore our souls, and fill us with gladness and contentment. Command Thy blessings upon our State. Guide wisely and safely the Legislature in its deliberations and final actions. Enlighten the minds and perfect the judgments of the judiciary, that its decisions may be clothed with righteousness and justice. Send Thy grace and supply Thy strength to the Chief Executive, Governor Culberson. Vouchsafe to him Thy fatherly care and unerring wisdom, and adorn him with righteousness and heroic fortitude. Reward richly the labors of the toiling masses; all useful industries, strengthen every institution that is for the good of our people. We ask in the name of Christ. Amen.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

On motion of Senator Rogers,

Senator Bailey was excused for nonattendance from Thursday last to today, on account of important business.

On motion of Senator Morriss.

Secretary Will Lambert was excused for non-attendance from Wednesday last to to-day, on account of sickness.

### PETITIONS AND MEMORIALS.

By Senator Harrison:

Protest of citizens of Bell county, against the passage of House bill No. 22.

Read and referred to Judiciary committee No. 1.

By Senator Ross:

Protest of citizens of Lamar county against the passage of Senate bill No. 119 (oleomargarine bill).